



VILLAGE OF BISCAYNE PARK

640 NE 114TH STREET

BISCAYNE PARK, FL 33161

TEL: 305 899 8000 FAX: 305 891 7241

www.biscayneparkfl.gov

Mayor and Commission

Noah Jacobs
Mayor

Roxanna Ross
Vice Mayor

Robert "Bob" Anderson
Commissioner

Bryan Cooper
Commissioner

Barbara Watts
Commissioner

Ana M. Garcia
Village Manager

John J. Hearn
Village Attorney

Maria C. Camara
Village Clerk

AGENDA

REGULAR COMMISSION MEETING

Ed Burke Recreation Center - 11400 NE 9th Court

Biscayne Park, FL 33161

Wednesday, November 7, 2012 at 7:00PM



Indicates back up documents are provided.

1 Call to Order

2 Roll Call

3 Pledge of Allegiance

4 Presentations

4.a Miami Dade County Commissioner Sally Heyman - Annexation



4.b Miami Shores Elementary School - Tricia M. Fernandez, Principal

4.c Florida East Coast Railway Police - Commander Raul Fernandez

5 Additions, Deletions or Withdrawals to the Agenda

6 Public Comments Related to Agenda Items / Good & Welfare

7 Board/Committee Reports

This section moved up in the agenda based on consensus from the Commission at the June 5, 2012 Commission meeting for a trial period of six months.

- > Parks & Parkway Advisory Board
- > Code Review Board
- > Recreation Advisory Board
- > Ecology Board
- > Biscayne Park Foundation

8 Village Manager

8.a Information Technology (IT) assessment update.

8.b Code Compliance position update.

9 Consent Agenda



9.a Approval of Minutes

July 10, 2012 - Regular Commission Meeting
August 7, 2012 - Regular Commission Meeting
August 15, 2012 - 1st Budget Workshop FY 2012-13
August 16, 2012 - 2nd Budget Workshop FY 2012-13
September 11, 2012 - Regular Commission Meeting
September 13, 2012 - 1st Budget Hearing FY 2012-13
September 20, 2012 - 2nd Budget Hearing FY 2012-13
September 27, 2012 - 2nd Budget Hearing FY 2012-13
October 23, 2012 - Special Commission Meeting



9.b Resolution 2012-43

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **ADOPTING THE APPROVED VILLAGE OF BISCAYNE PARK COMPREHENSIVE EMERGENCY MANAGEMENT PLAN (CEMP)**; PROVIDING FOR AN EFFECTIVE DATE



9.c Resolution 2012-50

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **ACCEPTING THE DONATION OF A 2003 FORD FOCUS FROM THE VILLAGE OF PINECREST**; AUTHORIZING THE VILLAGE MANAGER TO ACCEPT TITLE TO THE VEHICLE TO BE USED BY VILLAGE ADMINISTRATION; AND PROVIDING FOR AN EFFECTIVE DATE.



9.d Resolution 2012-51

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA; **ACCEPTING THE DONATION OF A 2006 FORD CROWN VICTORIA AND A 2006 DODGE CHARGER FROM THE CITY OF AVENTURA**; AUTHORIZING THE VILLAGE MANAGER TO ACCEPT TITLE TO THE VEHICLES TO BE USED WITHIN THE VILLAGE'S POLICE DEPARTMENT; AND PROVIDING FOR AN EFFECTIVE DATE.



9.e Resolution 2012-52

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA **APPROVING THE EXPENDITURE OF POLICE FORFEITURE FUNDS OF NOT MORE THAN \$3,600 FOR THE PURCHASE OF A NARCOTICS DETECTION K9** AND CERTIFICATION TRAINING AND RELATED COSTS; PROVIDING FOR AN EFFECTIVE DATE



9.f Resolution 2012-53

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **IN SUPPORT OF THE GREAT AMERICAN SMOKEOUT**; PROVIDING FOR AN EFFECTIVE DATE *(Sponsored by Vice Mayor Ross)*



9.g **Resolution 2012-55**

A RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, **AUTHORIZING THE MAYOR TO EXECUTE A MUTUAL AID AGREEMENT BETWEEN THE VILLAGE OF BISCAYNE PARK AND THE FLORIDA EAST COAST RAILWAY LLC; AND AUTHORIZING THE POLICE CHIEF TO EXECUTE A JOINT DECLARATION BETWEEN THE CHIEF OF POLICE OF THE VILLAGE OF BISCAYNE PARK AND THE CHIEF OF POLICE OF FLORIDA EAST COAST RAILWAY LLC;** PROVIDING FOR AN EFFECTIVE DATE

10 Ordinances - FIRST READING



10.a **Ordinance 2012-09**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RELATING TO CHAPTER 15 OF THE LAND DEVELOPMENT CODE RELATING TO CODE ENFORCEMENT; **RENAMING THE DEPARTMENT "CODE COMPLIANCE DEPARTMENT" AND RENAMING THE CODE ENFORCEMENT BOARD TO "CODE COMPLIANCE BOARD";** MODIFYING FINES CONSISTENT WITH CHAPTER 162, FLORIDA STATUTES; INCLUDING CERTAIN DEFINITIONS FROM CHAPTER 2 AND PLACING THEM IN CHAPTER 15; ELIMINATING ARTICLE VII, OF CHAPTER 2, OF THE VILLAGE'S CODE, SECTION 2-101 THROUGH 2-110 RELATING TO USING A HEARING OFFICER SYSTEM RELATING TO THE MIAMI-DADE COUNTY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE. *(At the September 11, 2012 meeting, this ordinance was deferred to November.)*



10.b **Ordinance 2012-10**

AN ORDINANCE OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK, FLORIDA, RELATING TO THE LAND DEVELOPMENT CODE, AMENDING CHAPTER 3, **RELATING TO PERMITTED USES TO ALLOW DAY CARE/SCHOOL USE IN THE "A" ZONING DISTRICT** ON PROPERTIES WITH PUBLIC FACILITY FLUM DESIGNATION; AND TO ALLOW PUBLIC FACILITIES WITHIN THE "D" DISTRICT, EXCLUSIVE OF ANY SCHOOL USE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION; PROVIDING FOR AN EFFECTIVE DATE.



10.c Ordinance 2012-06

AN ORDINANCE OF THE VILLAGE OF BISCAYNE PARK, FLORIDA PERTAINING TO PUBLIC HEALTH AND SAFETY; AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES ENTITLED ENVIRONMENTAL MANAGEMENT, BY CREATING NEW SECTIONS 8.4.5 THROUGH 8.4.16 PERTAINING TO LOT MAINTENANCE AND CLEAN UP IN ORDER TO REQUIRE THE CLEAN-UP OF PROPERTY UNDER CERTAIN CONDITIONS; PROVIDING THE PURPOSE AND INTENT OF THE REVISION PROVIDING DEFINITIONS; DECLARING CERTAIN CONDITIONS ON LOTS, PARCELS, AND TRACTS WITHIN THE VILLAGE BOUNDARIES TO BE A NUISANCE; PROHIBITING THE ACCUMULATION OF TRASH, JUNK, OR DEBRIS, LIVING AND NONLIVING PLANT MATERIAL, AND STAGNANT WATER; PROHIBITING THE EXCESSIVE GROWTH OF GRASS, WEEDS, BRUSH, AND OTHER OVERGROWTH; PROHIBITING THE KEEPING OF FILL ON PROPERTY THAT RESULTS IN CERTAIN CONDITIONS; PROHIBITING CERTAIN CONDITIONS THAT CONSTITUTE AN IMMINENT THREAT TO PUBLIC HEALTH; AUTHORIZING THE VILLAGE TO UNDERTAKE IMMEDIATE ABATEMENT AND REMEDY OF IMMINENT PUBLIC HEALTH THREATS; PROVIDING FOR ENFORCEMENT OF VIOLATIONS; REQUIRING NOTICES TO OWNERS AND, IF APPLICABLE, AGENTS, CUSTODIANS, LESSEES, AND OCCUPANTS OF PROPERTY IN VIOLATION OF THIS CHAPTER; PROVIDING FOR APPEALS OF VIOLATION NOTICES; AUTHORIZING THE IMPOSITION AND LEVY OF SPECIAL ASSESSMENTS IF COSTS ARE INCURRED BY THE VILLAGE AND NOT REIMBURSED BY THE PROPERTY OWNER AND, IF APPLICABLE, THE PROPERTY AGENT, CUSTODIAN, LESSEE, OR OCCUPANT; REQUIRING NOTICES OF ASSESSMENT; CREATING ASSESSMENTS FOR THE COST OF LOT CLEAN-UP; ESTABLISHING THE VILLAGE AS A SPECIAL ASSESSMENT DISTRICT; AUTHORIZING THE LEVY OF NON-AD VALOREM ASSESSMENTS IN CONNECTION WITH VIOLATIONS OF THIS CHAPTER; PROVIDING FOR THE COLLECTION OF NON-AD VALOREM ASSESSMENTS; AUTHORIZING AN AGREEMENT WITH THE MIAMI-DADE COUNTY PROPERTY APPRAISER AND TAX COLLECTOR; AUTHORIZING AND REQUIRING THE ADOPTION OF A RESOLUTION REGARDING THE VILLAGE'S USE OF THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM ASSESSMENTS; PROVIDING FOR ANNUAL NON-AD VALOREM ASSESSMENT ROLLS; PROVIDING TRANSITION PROVISIONS AND RATIFYING ASSESSMENTS TO RECOVER COSTS INCURRED BY THE VILLAGE TO REMEDY VIOLATIONS PRIOR TO THE ORDINANCE'S ENACTMENT; REPEALING ALL ORDINANCES INCONSISTENT WITH THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. *(At the September 11, 2012 meeting, this ordinance was deferred to date certain November 7, 2012.)*



10.d Ordinance 2012-13

AN ORDINANCE OF THE VILLAGE COMMISSION OF BISCAYNE PARK, FLORIDA, PURSUANT TO SECTION 166.041, FLORIDA STATUTES, **TO AMEND ORDINANCE 2011-05 ADOPTED ON SEPTEMBER 20, 2011 FINALIZING AND ADOPTING THE ANNUAL OPERATING BUDGET FOR FISCAL YEAR 2011-12**, BY AMENDING VARIOUS PARTS OF THE BUDGET CONSISTENT WITH EXHIBIT "A", ATTACHED HERETO; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE

11 Resolutions



11.a Resolution 2012-44

RESOLUTION OF THE VILLAGE COMMISSION OF THE VILLAGE OF BISCAYNE PARK **ADOPTING AN ACCOUNTABLE EXPENSE REIMBURSEMENT PLAN** IN LIEU OF COMMISSION SALARIES; PROVIDING FOR AN EFFECTIVE DATE
(Sponsored by Vice Mayor Ross)

12 Old Business



12.a Polling / Surveys - Maria Camara, Village Clerk

13 New Business



13.a Commissioner Anderson: Discussion of Village newsletter.

14 Final Public Comment

15 Reports

15.a Village Attorney

15.b Commissioner Comments

- > Vice Mayor Ross
- > Commissioner Anderson
- > Commissioner Cooper
- > Commissioner Watts
- > Mayor Jacobs

16 Announcements

All public meetings are held at the Ed Burke Recreation Center,
11400 NE 9th Court, Biscayne Park.

Thursday, November 8th - Recreation Advisory Board at 6:30pm

Monday, November 12th - All Village Departments are closed in observance of
Veteran's Day.

Friday, November 16th - Movie Night at 7:00pm

Monday, November 19th - Planning & Zoning at 6:30pm

Monday, November 19th - Ecology Board at 6:30pm

Wednesday, November 21st - Code Review Board at 7:00pm

Wednesday, November 21st - Parks & Parkway Advisory Board at 6:00pm

Thursday, November 22nd - All Village Departments are closed for Thanksgiving.

Friday, November 23rd - Village Hall is closed. Public Works is working to
service residents.

Our next regular Commission meeting is Tuesday, December 4, 2012 at 7:00pm.

17 Adjournment

In accordance with the provisions of F.S. Section 286.0105, should any person seek to appeal any decision made by the Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record of the proceedings is made; which record includes the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in the proceedings should call Village Hall at (305) 899 8000 no later than four (4) days prior to the proceeding for assistance.

DECORUM - Any person making impertinent or slanderous remarks, or who becomes boisterous while addressing the Commission, shall be barred from further audience before the Commission by the presiding officer, unless permission to continue or again address the commission is granted by the majority vote of the Commission members present. No clapping, applauding, heckling or verbal outbursts in support or in opposition to a speaker or his/her remarks shall be permitted. No signs or placards shall be allowed in the Commission Chambers. Please mute or turn off your cell phone or pager at the start of the meeting. Failure to do so may result in being barred from the meeting. Persons exiting the Chamber shall do so quietly.